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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/280,609	03/29/1999	DAVID BARCK	6402	6090

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EXAMINER

WILLETT, STEPHAN F

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 02/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

NY

Office Action Summary

Application No.
09/280,609

Applicant(s)

Barck et al.

Examiner

Stephan Willett

Group Art Unit
2756



☒ Responsive to communication(s) filed on Mar 29, 1999 - et seq.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-40 is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-40 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4, 5

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Puri with Patent Number 6,064,982 in view of Christeson et al. with Patent Number 5,926,817.

4. Regarding claim(s) 1-11, 13, 21-25, 27-33 and 39-40, Puri teaches a product configuration system over a LAN. Puri teaches (a) *interactively eliciting from a user on the at least one client a desired subset of possible products having technical configurations* as “the smart configurator provides interactive, off-line product selection dialog in which a matrix of company products is presented”, col. 3, lines 54-56. Puri teaches (b) *in response to the user's desired subset of possible products having technical configurations, downloading from the at*

least one server to the at least one client limited configuration information and limited configuration programs as “various packaged options are available for selection and/or individual components may be selected”, col. 5, lines 52-53. Puri teaches © *interactively eliciting from the user on the at least one client a desired technical configuration and preliminarily checking at the at least one client the viability of the desired technical configuration using the limited configuration information and the limited configuration programs* as “the smart configurator determines the appropriate hardware requirements to run the software in an acceptable fashion”, col. 3, lines 63-65. Puri teaches (d) *uploading the desired technical configuration from the at least one client to the at least one server and performing a full check on the viability of the desired technical configuration using full configuration information and full configuration programs on the at least one server* as “the actual hardware requirements for particular software solution are automatically determined by the smart configurator”, col. 5, lines 63-65. Puri teaches (e) *responsive to the full check, preparing and outputting on the at least one client an electronic order report* as “the smart configurator provides a proposal template that merges various customer related information into a generic proposal”, col. 6, lines 20-22. Puri teaches the invention in the above claim(s) except for explicitly teaching *desired technical configurations*. In that Puri operates to generate configuration fields, the artisan would have looked to the network configuration arts for details of implementing a user selections. In that art, Christeson, a related network configuration system, teaches an “the same applies to changes to access types and service types”, col. 4, lines 9-11 in order to provide versatility. Christeson specifically teaches that “once the representative has completed entering all required fields and has selected the appropriate optional fields” at col. 6,

lines 36-37. A user's selection of desired fields is possible and only viable alternatives are pursued. Further, Christeson suggests that "error messages are displayed with solutions", col. 4, lines 29 will result from implementing his system. The motivation to incorporate optional fields insures that only viable configurations are accepted. Thus, it would have been obvious to one of ordinary skill in the art to incorporate options viability as taught in Christeson into the configuration system described in Puri because Puri operates with selectable fields and Christeson suggests that optimization can be obtained with optional fields. Therefore, by the above rational, the above claims are rejected.

5. Regarding claims 12, 34 and 36, Christeson teaches *using a TCP/IP connection to pass an HTTP request from the client to the server* as "such TCP/IP", col. 12, lines 14. Thus, the above claim limitations are obvious in view of the combination.

6. Regarding claims 14, 15, 16, 20, 26 and 35-38, Puri teaches *the limited configuration programs comprise an HTML page and client-side programs, the client-side programs comprise a plug-in or helper-application and the client-side programs include one or more programs selected from Java, JavaScript, ActiveX, and Helper-Viewer and CGIs* as "dynamic HTML and JAVA script", col. 3, lines 13. Thus, the above claim limitations are obvious in view of the combination.

7. Regarding claims 17, 18, 19 and, Christeson teaches *the client-side programs are cached on the client, the client-side programs are cached in client-side memory and the client-side programs are cached in client-side disk storage* as "removable storage unit, also called a program storage device or a computer program product, represents a floppy disk, magnetic tape, compact disk, etc.", col. 14, lines 19-22. Thus, the above claim limitations are obvious in view

of the combination.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is disclosed in the Notice of References Cited.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (703) 308-5230. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matar Ahmad, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-9731.

11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9605.

sfw

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end.

February 14, 2002